Rebuilding a Nation
The Way of Devolution in Scotland in the Second Part of the Twentieth Century

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Abstract

This paper focuses on two crucial referendums on a Scottish body of self–government: the referendum of 1979, when devolution failed to attract enough support and the referendum of 1997 when devolution was endorsed. The paper offers a detailed examination of the period in–between. The rise of the SNP and the reactions of Labour and the Tories to this are investigated in connection with the way of devolution. It is argued that the democratic deficit, the growing influence of the European Union, and the revaluation of the Scottish national identity together led to the success of the 1997 referendum.

Keywords: Devolution, Scottish Parliament, UK referendums, SNP

Introduction

The citizens of the European Union nowadays can observe two totally opposing impulses. On the one hand, the spread of globalisation and the expansion of transnational organisations are characteristic of EU. On the other hand, various national aspirations for self–determination, the rebirth of nationalism is to be observed. The power of the nation state is under pressure from two directions, from above, from the supra–national level and from below, from the level of national or regional autonomists. At the same time, the national state identities are questioned by sub– and supra–state identities.

Nationalism newly emerges especially in the case of the "nations without states" (Guibernau 2005, 1) for example in Catalonia, the Basque Country, Flanders, Wales and Scotland.

In the case of the United Kingdom the presence and the role of the "nations without states," the Welsh and the Scots, were and are highly determinant from a constitutional point of view. The Union of the English and Scottish Parliaments in 1707 resulted in the transformation of the English Kingdom. Although with various force and success, the "Celtic fringe's" demand for Home Rule had been present till the second half of the twentieth century. The breakthrough in this campaign was accompanied by the need for constitutional reform; the claim to self–government in Scotland and Wales stimulated the decentralization of the United Kingdom.

The devolution issue is one of the most hotly debated segments of the whole constitutional reform process; this is especially true in the case of Scotland (Stenhouse 2004, 8-27). In this paper I intend to focus on two crucial moments of the campaign for devolution in post–war Scottish history: the referendums of 1979 and 1997. My aim is to investigate which *internal* political, economic, and social and which *external factors* led to the success of the referendum of 1997 in Scotland after the unsuccessful referendum in 1979. I will argue that this change can be related to three major factors: firstly, the decline of Britain in world politics and in connection with this the changes of the deep structure of the British political and economic system, secondly, the revaluation of the British-Scottish-European (Continental) relations within the European Union, thirdly, the change of Scottish self–understanding. In my view, these factors complement each other and at the same time they stimulate one another, none of them is responsible for the change in the Scottish attitude to devolution on its own.

1. Campaign for Self–government in Scotland since 1707

The roots of the consciousness of being a separate community, especially among members of "nations without states," originated in the past in which the particular nation concerned had its own political institutions. The current strengthening of nationalist movements among "nations without states" is characteristic of nations which once enjoyed an independent or at least autonomous political and cultural identity that is now being invoked, reinterpreted under new socio–political circumstances. To understand their

motives in the twentieth century, these "roots of consciousness" have to be examined first (Guibernau 2005, 2).

Unofficially the Scottish campaign for self–governance exists since Scotland and England were *de jure* united in 1603 when James VI of Scotland became the ruler of England under the name of James I. Despite this, the *de facto* unification of the two countries was not realized in the seventeenth century. This higher level of unification was reached in 1707 when the Act of Union united the parliaments of England and Scotland (Mackie 1991, 221-262).

Parallel to this process the establishment of the special British–Scottish dual identity began. Foreign affairs contributed to locking Scottish politics into a British framework. From the middle of the eighteenth century the series of wars against France, a country ruled by the "ancien regime," appeared in the British propaganda as a fight for the defence of British liberty. After 1789 that liberty was threatened by the revolutionary terror of republican France and what mattered in Scotland at this time was the unprecedented popularity which these wars added to being Protestant and British (Brown et al. 1998, 4-5). In the course of this period the notion of Scottish identity became ancillary to the common British self–definition (Colley 1992, 78-84).

Nevertheless, localism remained strong and came gradually into opposition with the power of the central state. Scotland developed its own version of the central state in the form of the *Scottish Secretary* and the *Scottish Office*. In 1885 the first Secretary for Scotland was appointed, in response to nationalist campaigning for Scottish matters to be given more attention by Westminster. The creation of the post extended the subordination of Scottish affairs to English party politics.

During the nineteenth century a strong sense of British national identity was established, but this did not alter the fact that Scots continued to identify themselves as *Scottish* and saw their country as a *partner* of England in colonization. What is especially significant for understanding the special nature of Scottish nationalism is that the Scottish elite was not interested in acting as the opposition to London, for example in bringing up the questions of constitutional issues or the renegotiating of the Act of Union. In the long run this attitude led to the evolution of an idea that *Robert Christian Thomsen* calls "safe nationalism" (Thomsen 2000, 56). This manifested itself in celebrating Scottish culture and traditions, but did not deal with defining political goals.

The First World War and the peace treaties on the one hand diverted attention away from Scottish issues, but on the other hand it was a period in which the right of self–determination came to the foreground and several small nation–states appeared on the map of Europe. All these contributed to the fact that the Anglo–Irish treaty and the solution of the Irish kept the Scottish Home Rule on the agenda. From the early 1930s, because of the Great

Depression, constitutional issues became less important. During World War II, a great sense of 'Britishness' developed, while the 'Scottish' feature of the Scottish dual identity was pushed into the background.

In the interwar period a new actor appeared in Scottish political life: modern political nationalism established its official organisations. The National Party of Scotland was formed in 1928 and united with the Scottish Party in 1934 as the Scottish National Party (SNP). Initially the SNP's aims were to secure Home Rule and the reestablishment of the Scottish Parliament within the United Kingdom rather than independence. In the immediate post–war years the SNP had very limited political impact (Devine 1999, 325-326).

From the 1960s due to economic difficulties the economic credibility of the United Kingdom was questioned as never before. The Scottish economy was in trouble, because of its outdated structure. The dominant British streak of the Scottish identity started to be questioned in the sixties when the "Trinity" of Protestantism, the Empire and capital was undermined by decolonization, secularization and economic recession (Bond és Rosie 2000, 107-108). The economic crisis contributed to the first electoral success of the SNP at the post–war period. They gained support not as the party of independence or separatism, but as the party that could speak for Scotland against the "London parties." This attitude to the SNP mirrored the special Scottish identity, and the SNP came to be seen as a pressure group for Scottish interests (Bogdanor 1999, 124). However it would be a failure to explain the rise of the SNP only by protest votes. Because of its social democratic nature, the votes for the SNP were and are as much votes for continuing the social democratic welfare project in Scotland (Brown et al. 1998, 21).

Without the rise and electoral success of the SNP in the late 1960s and in the 1970s it is doubtful whether devolution would have gained such a prominent place on the political agenda of the UK (Finlay 2004, 328). All political parties committed themselves to a measure of Scottish self–government. Obviously, the reaction of Labour and the Conservatives to growing Scottish Nationalist support during this period can be interpreted less as an attempt to decentralize the government of the United Kingdom than as an elaborate tactical response to the complex relationship within and between the two parties (Leicester 1996, 613).

The Nationalists were given a further boost with the discovery of North Sea oil in 1966. Their share of the electorate rose dramatically over the next elections (1970, February 1974, October 1974). The strengthening of the SNP, the spread of nationalism occurred in the UK at a time when the oil of the Scottish coast was vital to the reorganisation of the British economy.

2. The Referendums of 1979 and 1997: Background and Analysis

The two referendums on a Scottish body of self–government are crucial points of twentieth century Scottish history. The results highlight the background of the gradual changes of the British party politics, economy and the slip in the Scottish dual identity.

To understand Scotland in the 1970s it is important to keep in mind that the first devolution bill was mostly prepared in London by politicians who misjudged the situation north of the border from several aspects. The idea of national assemblies in Wales and Scotland was proposed by *The Royal Commission on the UK Constitution* (Paterson 1998, 51-58). After the result of the general election of 1974 Harold Wilson took office as Prime Minister of a minority Labour government and acted on the proposals prepared by the Commission.

The first – *Democracy and Devolution: Proposals for Scotland and Wales* – and the second – *Our Changing Democracy* – White Paper on the issue by the Wilson government formed the basis of the Scotland and Wales Bill, which received the Royal Assent in 1978 (Paterson 1998, 92-96). The bill passed only with amendments. According to the "Ferres amendment" if any Commons' vote on a matter devolved to Scotland were passed through the votes of Scottish MPs, a second vote is required to be taken two weeks after the first where the Scottish MPs were to be pressured not to participate. The second amendment, the so called "40% rule" or "Cunningham amendment," stated that if less than 40% of the registered electorate vote 'Yes,' on the referendum about the Scottish and Welsh assemblies then the Scotland and Wales Act granting devolution would not take effect (Bogdanor 1999, 227).

By 1979 the public in Scotland became weary of the devolution issue while the parties were divided over it. Due to the nationalist misgivings, trade union misbehaviour, government unpopularity, defective organisation the referendum promised at best a very close result. The referendum held on 1 March 1979 resulted in a narrow victory for devolution (51.6%) on a turnout of 62.9% of the electorate. The outcome fell short of the 40% the Act required to be implemented (only 32.85% of the whole Scottish electorate voted Yes). Though the result was disastrous, it was not especially surprising: devolution carried the stigma of a failing government. Labour's policy on devolution reflected a mixture of pressures and influences (Tanner 2006, 557). Devolution in the 1970s was, as I see, a mere phase in a political match at Westminster.

Indeed, there would have been no need for the referendum at all. Actually, referendums are not part of the usual British constitutional practice, and

all referendums held in the United Kingdom, in theory, are advisory only. Numerous other strategic and tactical mistakes can be listed: the Labour Party's inability to develop some widely acceptable form of decentralized governance; the division within the 'Yes' side; conflicting massages from the 'Yes' side reaching the voters and so on. The most eye–catching of these was the requirement for 40 per cent of registered electorate's support for the creation of a Scottish Parliament forced upon the government by Labour's own backbenchers (Scott 1991, 193-196).

In addition to these, the government was also forced to hold the referendum before the General Election to avoid synchronisation which would have made high participation in the referendum more likely (Bochel et al. 1981, 141). From a strategic point of view the lack of provision for the publication of campaign accounts, the absence of financial aid to the campaigns, the unorganized distribution of their leaflets by the Government and no publication of an explanatory leaflet handicapped the 'Yes' side. Although the fact that the relatively high support for devolution before the campaign started to decline during the campaign suggests that the 'No' side had simply better arguments. Besides, the 'No' campaign was better organized and was well financed from Scottish business circles that saw devolution as source of more bureaucracy and tax raising (Bochel et al. 1981, 141).

It also has to be emphasized that the referendum happened to be held at a time when support for the two parties most closely identified with the devolution policy–Labour and the SNP–were at a low ebb, but the Conservatives were unusually high in Scotland. For several reasons quite unconnected with devolution, mainly industrial unrest, Labour was put 20 percentage points behind of the Conservatives according to the polls. In the same period the SNP had declined steadily, and polls suggested that they would receive only about 20 percent of the Scottish vote. In contrast, the Tories, who were clearly identified with the 'No' side, were increasingly popular (Bochel et al. 1981, 141). This is highly important because the support for devolution seems to have been related to electors' party sympathy. Each and every opinion poll during the campaign reported a large majority of SNP voters willing to vote 'Yes', a majority for 'No' amongst the Conservatives, and a declining majority of Labour voters intending to vote 'Yes' (Bochel et al. 1981, 141). When governments take a certain position on a referendum issue voters usually use their referendum vote to indicate their approval or rejection of the government's policy (Fisher et al. 2003, 89-90).

The defeat of devolution was the immediate cause of the collapse of the Labour government, which was followed by eighteen years of Conservative rule. The new Conservative government, elected in May 1979, repealed the Scotland and Wales Act in June 1979. Although the Conservative Party

campaigned for a 'No' vote, they promised that they would introduce an improved measure with stronger powers. Nothing realized from this, the Tories used the small 'Yes' majority as a justification for taking no further action (Harvie 1994, 192-197).

The defeat of Labour's devolutionary Scotland Bill did not destroy the devolution movement. Indeed, in the years after 1979 it seemed to develop even greater political influence. One of the reasons for this was the electoral dominance of the Conservative Party throughout the 1980s and the 1990s in Britain and the impact of the Thatcherism on Scotland. Scotland has repeatedly voted for left–of–centre parties but has had to accept a series of Tory governments. The Conservative governments of these years introduced radical withdrawal from the public intervention in support of industry and carried through a number of measures, above all the Community Charge, which stimulated open hostility in Scotland (Devine 1999, 606).

On the first anniversary of the 1979 devolution referendum, 1 March 1980, an all-party *Campaign for a Scottish Assembly* (CSA) was established to renew the fight for devolution. Its aim was to bring together Labour, Liberal Democrats, the SNP and representatives of the civil society, but during the 1980s it ceased to reach its goal. The Conservative victory in 1987 eventually enforced a real cooperation of the Scottish MPs and civil organizations. The *Scottish Constitutional Convention* (SCC) was set up in 1989 and included 58 of Scotland's 72 MPs, Labour, Liberal Democrats, Nationalists, besides the representatives of the Churches, Unions and other civic groups. The Convention produced two reports, the first in 1990, *Towards Scotland's Parliament*. The second report developed a detailed plan for a Scottish Parliament and was published in 1995, with the title Scotland's Parliament, Scotland's Right (Bogdanor 1999, 197). This report contained proposals for the implementation of a devolution scheme, rather than arguments for and against devolution ("Scotland's Parliament, Scotland's Right" 2006).

Nevertheless, referring to Scottish historical distinctiveness and the right of peoples to self–determination it set out the case for the reestablishment of the Scottish Parliament ("Scotland's Parliament, Scotland's Right" 2006). One of the most effective arguments of the proposal was economic subsidiarity, but at the same time it opposed secession from the United Kingdom in political terms ("Scotland's Parliament, Scotland's Right" 2006).

The Labour Party manifesto for May 1997 general election contained the devolution policy presented in the SCC reports ("Labour Party Manifesto 1997…" 2007) and after winning the elections the new Labour government of Tony Blair published its detailed plan for Scottish devolution in the White Paper Scotland's Parliament, in July 1997. This proposed the establishment

of a Scottish Parliament with domestic law–making and taxation powers (“White Paper–Scotland’s Parliament” 2006).

Labour’s tactic was to disarm English parliamentary criticism of devolution by a referendum on the issue. Unlike 1979, this referendum was held before the relevant devolution bill was introduced into Parliament, not after it had been enacted. This was to ensure that devolution was the expressed will of the people of Scotland and not simply a government policy. The referendum held on 11 September 1997 had a positive outcome for the two propositions: 74.3% supported the establishment of the Scottish Parliament and 63,5% agreed that the new Scottish Parliament should have tax–varying powers as well (Bogdanor 1999, 199).

This was followed by the establishment of a new constitutional settlement in Britain. After this result, the Scotland Bill was introduced in Parliament in January 1998 and became law as the Scotland Act in November that year. The new Scottish Parliament was modelled after the Westminster Parliament and consists of 129 members, 73 directly elected on constituency basis, and 56 additional members. It has the power to make law for Scotland in devolved areas: health, education, re–education, local authorities, traffic, social work, economic development, legal system, protection of the environment, agriculture, sport and arts. The issues that are concerned with the UK remained at Westminster, e.g. foreign policy, defence and national security, fiscal economy and monetary policy (“Scotland Act 1998” 2008).

3. Democratic Deficit, Europeanization, New Nationalism?

When comparing the results of the referendums of 1979 and of 1997 several questions emerge. Why was the referendum in 1979 unsuccessful and why was the one in 1997 successful? Which political factors were fateful? Why was the electorate’s attitude different in 1997 to 1979? To answer these questions several points have to be taken into consideration.

In the first place, the political background must be investigated. In the 1970s devolution was primarily an attempt to settle the Nationalists without seriously changing the status quo. The introduction of the devolution bill and the referendum of 1979 took place in an unstable political climate. After the elections in February 1974 Harold Wilson could only establish a minority Labour government. Wilson needed the support of the nine nationalist MP’s as well as the fourteen Liberals, who were strongly supporting devolution, while the Labour manifesto did not contain any reference to devolution.

The government was therefore vulnerable to pressures from the Liberals, Scottish National Party and Plaid Cymru. Yet Labour won an overall majority of three MPs in October 1974, James Callaghan's government by 1977 had again no majority after a series of by-election defeats. The Scotland and Wales Bill gained a second reading only after the referendums in both places were conceded. On the Labour side, ten MPs voted against the bill, while forty-five abstained. It was highly noticeable that the governing party did not give complete support to its government's bill (Bogdanor 1999, 177-180).

It is not surprising that by 1979 the Scottish public was disillusioned with the struggle which preceded the referendum on devolution. Although Labour officially supported devolution, they were divided on the issue. While in London the Labour government backed devolution, prominent Scottish Labour MPs such as Robin Cook and Tam Dalyell launched the "Labour Vote No" campaign. The Tories despite the Declaration of Perth opposed any form of devolution. The SNP was agonizing over devolution; it provided something touchable, reachable on the short run, although the ultimate goal was independence (Brown et al. 1998, 21).

Due to the general division of the 'Yes' side there were no clear cut messages that could reach the electorate. This caused a huge gap between support for different kinds of self–government in general and the 'Yes' votes in the referendum of 1979, whereas this gap became minimal in 1997. The table below shows the referendum vote of the supporters of independence, devolution and self–government in 1979 and in 1997:

Table 1.

1979: Did you vote in the recent referendum on Devolution for Scotland? If 'Yes' did you vote 'Yes' or 'No' | If no did you favour the 'Yes' side or the 'No' side?
1997: How did you vote on the first question?*

	Independence		Devolution		Self government	
	1979	1997	1979	1997	1979	1997
Voted Yes	68	75	46	65	49	70
Didn't' vote favoured Yes	12	-	8	-	8	-
(Total Yes)	(80)	(75)	(51)	(65)	(57)	(70)
Didn't vote no preference	8	23	7	28	7	25
Didn't vote, favoured No	2	-	11	-	10	-
Voted No	10	2	28	7	26	5
(Total No)	(12)	(2)	(39)	(7)	(36)	(5)

*Note: *Should there be a Scottish parliament in the UK? Sources: Scottish Election Study 1979, Scottish Referendum Study 1997.* (Dardanelli 2005a, 332)

Apart from this the SNP's campaign for an independent Scotland caused tension between attitudes to devolution and independence. While devolutionists insisted on distinguishing themselves from those who wanted independence, they often used the principle that supported the case of independence: the right to self–determination. Devolutionists preferred the status quo to independence in 1979 and vice versa in 1997 (Dardanelli 2005a, 338).

Secondly, aside from the political division Scotland was in a problematic economic period and this proved to be a potent argument against devolution. In the 1970s the discovery of North Sea oil gave greater support to the economy of the USA than to that of Scotland (Finlay 2004, 333). At a time when the UK was to face one crisis after another the Scottish electorate was more concerned with jobs and living standards than with devolution. Scots worried about distancing themselves from the UK and the economic stability of the common British market, in such an era when the European Community was not stable enough to provide the economic security that Scotland needed (Dardanelli 2005b, 172).

The political and economic climate in 1997 was very different from 1979. On the one hand the Tory governments had severely alienated the Scots in political and in economic terms as well. On the other hand the parties of the Scottish Constitutional Convention managed to reach an agreement on key issues. This created a united pro–devolution standpoint in the Labour and the Liberal Democrat Parties, and later on in the SNP. In particular Scottish Labour shifted from support for a weak assembly in the 1970s to the viewpoint that only a devolved Scottish parliament with the right of legislation could have protected Scotland from Thatcherism in the 1980s. The other major difference was that devolution was seen as one of the most important platforms of the new Labour government itself in 1997. One of the reasons for this sensitivity of New Labour to the devolution issue was the Scottish dominance that emerged within the party by the end of twentieth century (Stenhouse 2004, 41). The change within the Labour Party is matched by changes in the wider political context (Taylor and Thomson 1999, 174-180).

It is also important to emphasize that all previous Home Rule and devolution bills, except for the Ireland Act of 1920, were introduced in parliaments where the government was dependent upon nationalist votes. The Labour government of 1997, in contrast, was absolutely independent of nationalist votes. On the contrary, it had a majority of 177 seats, the largest majority that Westminster has had since 1935 (Bogdanor 1999, 201). The referendum of 1997 took place while the new government and Tony Blair as PM were quite popular especially in Scotland. This influenced the final result of the referendum of 1997 in a positive way: support for the devolution issue

in Scotland can be seen as an approval of the Blair government's policy as well (Fisher et al. 2003, 88-89).

As for the Scottish economy, it touched the bottom in the early 1980s and from the mid 1980s saw a complete metamorphosis: from an industrial economy, it gradually became a modern, high-tech economy with a prosperous future. Together with Ireland, Scotland proved to be one of the most attractive locations in Europe for inward investment. Still, the main powerhouses of growth in Scotland were the financial services. Edinburgh emerged as one of the most important financial centres in Western Europe. Scots started to believe in Scotland again: they are just as viable as Ireland (Finlay 2004, 380-385).

Accompanying the accumulating economic and social tension and the doubtless negative effects of the democratic deficit in Scotland, the growing importance of the EU also contributed to the success of the referendum of 1997. On the one hand, the progression of the EU influenced the economic efficiency of the UK. In addition, the EU started to substitute the UK as the larger entity that could provide economic and financial security for Scotland. On the other hand, the European context changed the Scottish electorate's attitude towards independence (as a possible consequence of devolution): it was preferred to the status quo in 1997 because it would have taken place in the EU. The dramatic rise in the support for independence was mainly due to the SNP's embrace of the EU and the positive example of Ireland's membership (Paterson 1998, 196-205) and the positive example of Ireland's membership of the EU. The latest suggested that Scotland could hope not only for economic benefits, but also for the increase of its influence as an independent member of the EU (Salmond 1998, 72). For nationalists in Scotland the EU implies the end of the UK as a single country. In their view the EU is moving towards a "Europe of Regions." In this interpretation the smaller countries of the UK no longer need to belong to a single state for security or for economic stability (Fisher et al 2003, 129).

The EU is not only attractive for the Nationalists, but also for the supporters of limited self-government. For Labour and the Liberals, the key point was *subsidiarity*: the EU principle that decisions should be taken at the lowest level. Devolution from this aspect tends to strengthen democracy since it brings decision making closer to the citizens (Guibernau 2007, 54). Besides, the constitutional issues the EU's social policy supports a welfare–state consensus that Scotland seems to favour. As far as the position of women, the rights of workers and public spending on social infrastructure were concerned, the EU Commission was in conflict with the UK Conservative Government and hence seemed an ally to many politicians in Scotland (Brown et al. 1998, 22-23).

The all-pervasive nature of the EU can be detected in different segments of life: politics, economy, and also in the fields of identity creation. The growing

importance of supra-state membership has had deep impacts in the interplay of the Scottish-British dual identity (Moreno 2006, 7). It is noteworthy that the number of those who identified themselves as Scottish has risen significantly since the late seventies. Whereas over one-third of the respondents opted for 'British', and over half 'Scottish' in 1979, by 1992 only a quarter considered themselves 'British,' and almost three-quarters 'Scottish' (Paterson et al. 2001, 105-106). This suggests that in the years of Conservative rule, with the appearance of the Europeanization the sense of Scottish identity was intensified and did not fall back to previous levels.

In Scotland European identity–and a more positive attitude to the process of Europeanization–has been underlined in contrast to that south of the border (Moreno 2006, 9). Besides, Scottish preferences for Europe were illustrated by a *cultural shift* that appeared at the first time since the Union with England. No longer was England admired as the source of new ideas, Brussels became the new cultural point of comparison for Scots. This slow reorientation of Scotland towards the EU and away from Britain can still be seen nowadays (Brown et al. 1998, 124-126). Above this shift a new vitality occurred in Scottish culture from the 1980s which contributed to preference for devolution. The Gaelic culture and Scottishness in general were celebrated and younger generations of Scots started to feel confident about their own national identity (Devine 1999, 608).

The effort to stimulate a sense of Scottishness was only the first step; the second step was more difficult: to convince Scots that this identity had a positive and political meaning. Scottish identity gradually gained more political content and contributed to the beneficial atmosphere in Scotland when the second referendum took place in the 1990s (Mitchel 1996, 25).

To summarize, it can be argued that the growing influence of Europeanization contributed to the revival of the ethno-territorial feature of Scottish compound nationality, thus leading to higher demand for political autonomy and finally to the success in the referendum of 1997. It is important to emphasize that the external dimensions had a crucial impact, while intensifying the effects of the democratic and social deficit of Thatcherism, the economic, political difficulties and the rise of Scottish nationalism, on the change of support for devolution between 1979 and 1997.

Conclusion

It has been argued that the Scottish campaign for self–government or independence is one of the world's oldest national movements. As such it

has changed a lot through the centuries and now it is flourishing as never before and reached its major triumph in 1997. This resulted in the emphatic endorsement of a Scottish parliament in the 1997 referendum. Nevertheless, the route to the success of the referendum in 1997 was far from being one–way or unambiguous. Being 'British' and 'Scottish' at the same time determines the Scottish national movement even today. In the context of the British Empire the Treaty of Union had envisaged Scottish identity being preserved through her legal system and system of church government. In the modern world Scottish identity is determined far more by the institutions of government than by the legal system or the church. In the twentieth century a need emerged for measures on government level that provide for real Scottish distinctiveness. This need culminated in the referendums of 1979 and 1997.

The results of the referendums have shed light upon the fluid nature of Scottish identity. During the two decades after the unsuccessful referendum of 1979 the strengthening of the Scottish national identity, the influence of the European Union, domestic politics of the United Kingdom's governments together led to the establishment of a political climate beneficial for the new referendum. The breakthrough of 1997 and the reestablishment of the Scottish Parliament are interpreted differently in traditional political circles and in the SNP. From the first point of view, Scottish devolution can be seen as means of renegotiating the terms of the Union, so as to make them more responsive to Scottish opinion, while from the SNP's point of view it is seen as the first step towards independence (Bogdanor 1999, 118-119). According to the SNP, an independent Scotland would not be isolated in a European context but it would be an active member of the EU, abandoning some of its sovereignty not to the UK, but to that wider Union (Brown 1998, 215). This program fits into the European idea of regionalism and subsidiarity where sovereignty is redefined in such a way that a monolithic democracy breaks down to permit a redistribution of power as new political structures are formed at the regional level (Brown et al., 231).

However, the creation of the Scottish parliament established an asymmetrical political structure in the UK by recognizing Scotland as distinct from other areas of Britain. This asymmetrical structure born with devolution has become a highly contentious issue which automatically provokes passionate reactions (for example the West Lothian Question) (Brown 1998, 217-218). But only this kind of political autonomy, which is regarded as an intermediate option between simply acknowledging the cultural specificity of a region and the sharing of sovereignty in a federation, could offer an acceptable alternative for some "nations without states," if they are to be discouraged from seeking independence.

The latest opinion polls show that devolution does not fully satisfy self–governance claims, but it does tend to weaken them. Devolution in itself cannot save the Union, but it seems clear that the United Kingdom's future will depend on how the Parliaments in Edinburgh and in London perform. The other influential factor will be the EU's attitude to the ambitions of the "nations without states." Thus in the twenty–first century, Scotland could easily opt for independence versus Union in the "Europe of Regions".

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